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ORDINANCE NO. 2010- 24

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING THE HOME RULE CHARTER OF LEON COUNTY, FLORIDA; AMENDING ARTICLE II, ORGANIZATION OF COUNTY GOVERNMENT; AMENDING SECTION 2.3, EXECUTIVE BRANCH; AMENDING SECTION 2.3(1), COUNTY ADMINISTRATOR; PROVIDING FOR A BALLOT QUESTION TO BE POSED TO THE LEON COUNTY ELECTORATE AT THE SPECIAL ELECTION ON NOVEMBER 2, 2010; PROVIDING FOR THE BALLOT QUESTION FORM; PROVIDING FOR FURTHER AUTHORIZATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Leon County, Florida,

that:

Section 1. Article II, Section 2.3 of the Home Rule Charter of Leon County, Florida,

is hereby amended to read as follows:

Sec. 2.3. Executive Branch.

(1) The County Administrator.

(A) The County Administrator shall be appointed by, ~~and serve at the pleasure of, the~~ Board of County Commissioners an affirmative vote of a majority plus one (1) of the entire membership of the Board of County Commissioners. The County Administrator shall serve at the pleasure of the Board of County Commissioners until such time as the County Administrator shall be removed by a vote for removal of a majority plus one (1) of the entire membership of the Board of County Commissioners voting during the first regularly scheduled meeting occurring after a meeting of the Board at which a motion expressing the intent of the Board to remove the County Administrator was adopted by majority vote of those present and voting. The County Administrator shall be the chief executive officer of the County and all executive responsibilities

1 and powers shall be assigned to, and vested in, the County Administrator. The County
2 Administrator shall exercise all executive authority provided by this Home Rule Charter and all
3 other powers and duties authorized by general or special law.

4 (B) The County Administrator shall be chosen on the basis of his/her professional
5 qualifications, administrative and executive experience, and ability to serve as the chief
6 administrator of the County. The County Administrator shall reside within the County during
7 his/her tenure as County Administrator.

8 (C) The compensation of the County Administrator shall be fixed by the Board of
9 County Commissioners at a level commensurate with the responsibilities of the position, with
10 performance appraisals conducted by the Board of County Commissioners at least annually.

11 (D) A vacancy in the office shall be filled in the same manner as the original
12 appointment. The County Administrator may appoint an Acting County Administrator in the
13 case of his/her temporary vacancy.

14 (2) **Senior Management.**

15 The County's senior management employees, with the exception of the County
16 Attorney's and Tourist Development Council (TDC) staff, shall serve at the pleasure of the
17 County Administrator, who may suspend or discharge senior management personnel with or
18 without cause.

19 **Section 2. Ballot Question To Be Presented To Electorate.**

20 The proposed amendments to the Home Rule Charter of Leon County, Florida, shall be
21 presented to the qualified Leon County electorate by placing the question of whether to adopt
22 same on the ballot at the special election to be held on November 2, 2010.

23 **Section 3. Ballot Question Form.**

1 The question on the ballot shall be substantially in the following form:

2 **EMPLOYMENT OF THE COUNTY ADMINISTRATOR AS PROPOSED BY**
3 **THE CITIZEN CHARTER REVIEW COMMITTEE**

4
5 Question

6
7 Shall the Home Rule Charter of Leon County, Florida be amended to
8 provide the manner by which the County Administrator shall be
9 employed and the manner by which the County Administrator is
10 terminated; effective January 1, 2011?

11
12 Yes for Approval _____

13
14 No for Rejection _____

15
16 **Section 4. Further Authorization.**

17 The Board of County Commissioners of Leon County, Florida, is authorized to adopt all
18 resolutions and take all actions necessary in order for this Charter amendment referendum to be
19 properly placed on the ballot for the special election of November 2, 2010. Said referendum
20 shall be conducted according to the requirements of law governing referendum elections in the
21 State of Florida.

22 **Section 5. Severability.**

23 If any word, phrase, clause, section or portion of this ordinance shall be held invalid or
24 unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a
25 separate and independent provision and such holding shall not affect the validity of the
26 remaining portions thereof.

27 **Section 6. Effective Date.**

28 This ordinance shall have effect upon becoming law, but shall be of no further force or
29 effect if the proposed Charter amendments are not duly approved at the November 2, 2010,
30 special election. The amendments to the Home Rule Charter of Leon County, Florida, as

1 proposed by this Ordinance, shall become effective January 1, 2011, if the Charter amendment is
2 approved by a "yes" vote by a majority of those duly qualified electors voting on the question
3 posed at the November 2, 2010, referendum.

4 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon
5 County, Florida, this 17th day of August, 2010.

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LEON COUNTY, FLORIDA



By: Bob Rackleff
Bob Rackleff, Chairman
Board of County Commissioners

15 ATTESTED BY:
16 BOB INZER, CLERK OF THE COURT
17 LEON COUNTY, FLORIDA

18
19
20 By: John Stott, Deputy Clerk
21 Clerk
22

23
24 APPROVED AS TO FORM:
25 COUNTY ATTORNEY'S OFFICE
26 LEON COUNTY, FLORIDA
27
28 By: Herbert W. A. Thiele, Esq.
29 Herbert W. A. Thiele, Esq.
30 County Attorney
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